

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:11-cr-56-01

v.

HONORABLE PAUL L. MALONEY

EDWARD DUSHAUN BAKER,

Defendant.

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**MEMORANDUM OPINION AND ORDER**

Defendant Edward Dushaun Baker has filed a motion for modification or reduction of sentence pursuant to 18 U.S.C. §3582(c)(2) based on the modification of the Drug Quantity Table with respect to drug quantity.

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 782 of the United States Sentencing Guidelines modified U.S.S.G. § 2D1.1, the Drug Quantity Table with regard to drug quantity, and U.S.S.G. § 2D2.1(b). These modifications were made retroactive effective November 1, 2014. U.S.S.G. § 1B1.10(c).

However, Amendment 782 provides Defendant no relief. Defendant's original guideline range was 188 to 235 months and he was sentenced to 108 months in prison on each of counts one and two, to run consecutively to each other. After application of Amendment 782, the applicable guideline range remains 188 to 235 months. In the supplement to the defendant's

objection to the Report of Eligibility, Defendant concedes that under Amendment 782 his guideline range remains the same. As the resulting guideline range has not been lowered by Amendment 782, the amendment is of no assistance to the defendant. Accordingly,

**IT IS HEREBY ORDERED** that Defendant Edward Dushaun Baker's motion modification of sentence pursuant to 18 U.S.C. § 3582(c)(2) (ECF No. 73) is **DENIED**.

Date: April 15, 2016

/s/ Paul L. Maloney  
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Paul L. Maloney  
United States District Judge